

United States District Court

Southern

DISTRICT OF

New York

ALLIANCE FOR OPEN SOCIETY
INTERNATIONAL, INC., OPEN SOCIETY
INSTITUTE, and PATHFINDER INTERNATIONAL

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER: 05 Civ. 8209 (VM) (DF)

UNITED STATES AGENCY FOR
INTERNATIONAL DEVELOPMENT, et al. (Full
Caption Follows on Next Page)

TO: (Name and address of defendant)

U.S. Department of Health and Human Services (Full List Follows on Next Page)
Hubert H. Humphrey Building
200 Independence Ave., SW
Washington, D.C. 20201

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Burt Neuborne
Brennan Center for Justice at NYU School of Law
161 Ave. of the Americas, 12th Floor
New York, NY 10013

an answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK



(BY) DEPUTY CLERK

DEC - 5 2005

DATE

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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ALLIANCE FOR OPEN SOCIETY INTERNATIONAL, :
INC., OPEN SOCIETY INSITUTE, and PATHFINDER :
INTERNATIONAL : SUMMONS IN A CIVIL CASE

Plaintiffs, : 05 CV 8209 (VM) (DF)

v. :

UNITED STATES AGENCY FOR INTERNATIONAL :
DEVELOPMENT and ANDREW S. NATSIOS, in his :
Official Capacity as Administrator, U.S. Agency for :
International Development, and his successors, :

UNITED STATES DEPARTMENT OF HEALTH AND :
HUMAN SERVICES and MICHAEL O. LEAVITT, in his :
Official Capacity as Secretary, U.S. Department of Health :
and Human Services, and his successors, and :

UNITED STATES CENTERS FOR DISEASE CONTROL :
AND PREVENTION and JULIE LOUISE GERBERDING, :
in her Official Capacity as Director, U.S. Centers for :
Disease Control and Prevention, and her successors, :

Defendants.

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TO: (Name and address of defendants)

U.S. Department of Health and Human Services
Hubert H. Humphrey Building
200 Independence Ave., SW
Washington, D.C. 20201

Michael O. Leavitt, Secretary
U.S. Department of Health and
Human Services
Hubert H. Humphrey Building
200 Independence Ave., SW
Washington, D.C. 20201

U.S. Centers for Disease Control and Prevention
1600 Clifton Rd
Atlanta, GA 30333

Julie Louise Gerberding, Director
U.S. Centers for Disease Control and
Prevention
1600 Clifton Rd
Atlanta, GA 30333

AO 440 (Rev. 10/93) Summons In a Civil Action -SDNY WEB 4/99

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹	DATE	
NAME OF SERVER (PRINT)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____ _____		
<input type="checkbox"/> Returned unexecuted: _____ _____ _____		
<input type="checkbox"/> Other (specify): _____ _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p style="text-align: center;">I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Executed on _____</p> <p style="text-align: center;">Date</p> </div> <div style="width: 45%;"> <p>_____ Signature of Server</p> <p>_____ Address of Server</p> </div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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ALLIANCE FOR OPEN SOCIETY INTERNATIONAL, INC., OPEN SOCIETY INSITUTE, and PATHFINDER INTERNATIONAL,	:	
	:	CERTIFICATE OF SERVICE
Plaintiffs,	:	
	:	Civil Action No. 05-CV-8209
v.	:	(VM) (DF)
UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT and ANDREW S. NATSIOS, in his Official Capacity as Administrator of the United States Agency for International Development, and his successors;	:	
UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES and MICHAEL O. LEAVITT, in his official capacity as Secretary of the U.S. Department of Health and Human Services, and his successors; and	:	
UNITED STATES CENTERS FOR DISEASE CONTROL AND PREVENTION and JULIE LOUISE GERBERDING, in her official capacity as Director of the U.S. Centers for Disease Control and Prevention, and her successors;	:	
Defendants.	:	

-----X

I, Rebekah Diller, certify that on December 6, 2005, I caused to be served, via certified mail, one copy of the Summons and Amended Complaint along with a copy of Judge Marrero's rules upon each of the following individuals:

Michael O. Leavitt, Secretary
U.S. Department of Health and Human Services
Hubert H. Humphrey Building
200 Independence Ave., SW
Washington, DC 20201

Paula Stannard, Acting General Counsel
U.S. Department of Health and Human Services
200 Independence Ave., S.W., Room 713-F
Washington, DC 20201

Julie S. Gerberding, Director
U.S. Centers for Disease Control and Prevention
1600 Clifton Rd, NE
M/S D53
Atlanta, GA 30333

Paula L. Kocher, Deputy Associate General Counsel
U.S. Centers for Disease Control and Prevention
1600 Clifton Rd, NE
M/S D53
Atlanta, GA 30333

Alberto Gonzalez
United States Attorney General
U.S. Department of Justice
950 Pennsylvania Ave., SW
Washington, DC 20530-0001

I also certify that I caused to be served on December 5, 2005, via hand delivery, a copy of the Amended Complaint and on December 9, 2005, via certified mail, a copy of the Summons upon:

Richard Rosberger
Assistant United States Attorney
Office of the United States Attorney for the Southern District of New York
86 Chambers Street,
New York, NY 10007
Attorney for Defendants

Dated: December 16, 2005



REBEKAH DILLER